

October 16, 2008

AGENDA  
ILLINOIS CIVIL SERVICE COMMISSION  
October 16, 2008

I. OPENING OF MEETING AT 9:00 A.M. AT 160 NORTH LASALLE STREET, SUITE S-901, CHICAGO, ILLINOIS

II. PRESENT

III. APPROVAL OF MINUTES OF REGULAR MEETING HELD SEPTEMBER 18, 2008

**WILL THE COMMISSION APPROVE THE MINUTES OF THE REGULAR MEETING HELD SEPTEMBER 18, 2008?**

IV. EXEMPTIONS UNDER SECTION 4d(3) OF THE PERSONNEL CODE

**A. Report on Exempt Positions**

<u>Agency</u>	<u>Total Employees</u>	<u>Number of Exempt Positions</u>
Aging .....	163.....	9
Agriculture .....	474.....	16
Arts Council.....	20.....	2
Capitol Development Board .....	36.....	0
Central Management Services .....	1,482.....	107
Children and Family Services .....	3,214.....	49
Civil Service Commission .....	4.....	0
Commerce & Economic Opportunity .....	412.....	67
Commerce Commission.....	68.....	0
Corrections.....	11,514.....	115
Criminal Justice Authority .....	55.....	6
Deaf and Hard of Hearing Comm. ....	6.....	1
Developmental Disabilities Council .....	10.....	1
Emergency Management Agency .....	93.....	5
Employment Security.....	1,721.....	25
Environmental Protection Agency .....	991.....	19
Financial & Professional Regulation .....	747.....	50
Guardianship and Advocacy .....	108.....	8
Healthcare and Family Services.....	2,512.....	29
Historic Preservation Agency .....	247.....	12
Human Rights Commission .....	12.....	2
Human Rights Department .....	153.....	10
Human Services .....	14,671.....	75
Investment Board.....	4.....	2
Juvenile Justice .....	1,166.....	19
Labor.....	81.....	7
Labor Relations Board Educational .....	13.....	2
Labor Relations Board State .....	20.....	2
Law Enforcement Training & Standards Bd.....	20.....	1
Medical District Commission .....	2.....	0
Military Affairs .....	129.....	3
Natural Resources .....	1,543.....	24
Pollution Control Board.....	19.....	2
Prisoner Review Board .....	20.....	0
Property Tax Appeal Board .....	22.....	1
Public Health.....	1,136.....	42
Revenue .....	2,094.....	70
State Fire Marshal .....	150.....	12
State Police .....	1,431.....	6
State Police Merit Board.....	5.....	1
State Retirement Systems .....	87.....	2
Transportation .....	2,469.....	0
Veterans' Affairs.....	1,116.....	7
Workers' Compensation Commission .....	171.....	10
<b>TOTALS .....</b>	<b>50,411.....</b>	<b>821</b>

**B. Governing Rule – Jurisdiction B Exemptions**

- a) Before a position shall qualify for exemption from Jurisdiction B under Section 4d(3) of the Personnel Code, the position shall be directly responsible to:
  1. The Governor, or
  2. A departmental director or assistant director appointed by the Governor, or
  3. A board or commission appointed by the Governor, or
  4. The head of an agency created by Executive Order, or the director or assistant director of an agency carrying out statutory powers, whose offices are created by the Governor subject to legislative veto under Article V, Section 11, of the Constitution of 1970, which agency head, director, or assistant director may themselves be subject to exemption under Section 4d(3), or
  5. In an agency having a statutory assistant director, a deputy director exercising full line authority under the director for all operating entities of the agency, provided the statutory role of assistant director is vacant or is assigned clearly distinct and separate duties from the deputy director and as a colleague to him, or
  6. A line position organizationally located between the director and/or assistant director and a subordinate statutorily exempt position(s), provided the position proposed for exemption has line authority over the statutory exempt position(s), or
  7. The elected head of an independent agency in the executive, legislative, or judicial branch of government.
- b) If a position meets the above criterion, it must, in addition, be responsible for one or more of the following before it shall be approved as exempt:
  1. Directs programs defined by statute and/or departmental, board, or commission policy or possess significant authority when acting in the capacity of a director of programs to bind the agency.
  2. Makes decisions in exercising principal responsibility for the determination or execution of policy which fix objectives or state the principles to control action toward operating objectives of one or more divisions, such decisions being subject to review or reversal only by the director, assistant director, board, or commission.
  3. Participates in the planning and programming of departmental, board, or commission activities, integrating the plans and projections of related divisions, and the scheduling of projected work programs of those agencies.

\* \* \*

**C. Illinois Department of Public Health – Proposed Exemption (continued from September 18, 2008)**

Position Number	37015-20-60-200-00-81
Position Title	Public Service Administrator
Bureau/Division	Office of Women’s Health
Functional Title	Community Outreach Administrator
Incumbent	None
Supervisor	Deputy Director, Women’s Health, who reports to the Director
Location	Cook County

**CMS Recommendation:** “The position meets the reporting criteria of the Commission Rules and considering the similarity of this position with those of other 4d(3) exempt positions, I recommend 4d(3) exemption.”

**D. Illinois Department of Central Management Services– Proposed Exemption**

Position Number	40070-37-10-000-10-01
Position Title	Senior Public Service Administrator
Bureau/Division	Bureau of Communications & Computer Services (BCCS)
Functional Title	Chief of Information Technology Policy & Planning for BCCS
Incumbent	None
Supervisor	Deputy Director of BCCS, who reports to the Director
Location	Cook County

**CMS Recommendation:** “The position meets the reporting criteria of the Commission Rules and considering the similarity of this position with those of other 4d(3) exempt positions, I recommend 4d(3) exemption.”

**E. Illinois Department of Central Management Services – Proposed Exemption**

Position Number	40070-37-12-000-00-01
Position Title	Senior Public Service Administrator
Bureau/Division	Bureau of Communications & Computer Services (BCCS)
Functional Title	Enterprise Applications Manager
Incumbent	None
Supervisor	Deputy Director of BCCS, who reports to the Director
Location	Sangamon County

**CMS Recommendation:** “The position meets the reporting criteria of the Commission Rules and considering the similarity of this position with those of other 4d(3) exempt positions, I recommend 4d(3) exemption.”

**F. Illinois Department of Human Services– Proposed Exemption**

Position Number	40070-10-75-000-01-21
Position Title	Senior Public Service Administrator
Bureau/Division	Developmental Disability
Functional Title	Assistant Facility Director, Shapiro Developmental Center
Incumbent	Lynne Gund
Supervisor	Facility Director, who reports to the Deputy Director of Statewide Developmental Disability Facilities, who reports to the Director of Developmental Disabilities, who reports to the Administrator of Mental Health and Developmental Disability Services, who reports to the Assistant Secretary, who in turn reports to the Secretary
Location	Kankakee County

**CMS Recommendation:** “The position meets the reporting criteria of the Commission Rules and considering the similarity of this position with those of other 4d(3) exempt positions, I recommend 4d(3) exemption.”

**G. Illinois Department of Juvenile Justice – Proposed Exemption**

Position Number	40070-27-00-001-05-01
Position Title	Senior Public Service Administrator
Bureau/Division	Director’s Office
Functional Title	Chief Legal Advisor
Incumbent	None
Supervisor	Director
Location	Sangamon County

**CMS Recommendation:** “The position meets the reporting criteria of the Commission Rules and considering the similarity of this position with those of other 4d(3) exempt positions, I recommend 4d(3) exemption.”

**WILL THE COMMISSION GRANT THE REQUESTS FOR EXEMPTION FROM JURISDICTION B OF THE PERSONNEL CODE FOR THE FOLLOWING POSITIONS?**

**C: Community Outreach Administrator, Office of Women’s Health**

**D: Chief of Information Technology, BCCS**

**E: Enterprise Applications Manager, BCCS**

**F: Assistant Facility Director, Shapiro Developmental Center**

**G: Chief Legal Advisor, Department of Juvenile Justice**

V. CLASS SPECIFICATION

**The following class title was submitted for revision by the Director of Central Management Services:**

Position Title:

A. Juvenile Justice Specialist (revise)

Classification Analysis: “This revision to the classification standard adds a reference to a training role for Juvenile Justice Specialists who provide training at a facility. Training and staff development is mentioned as part of the supervisory role for a Juvenile Justice Specialist Supervisor, but a concern was raised that it might be misunderstood that non-supervisory staff training responsibilities were only intended for the higher, supervisory level, when the Specialist classification was developed to embrace a wide range of professional work assignments within a youth facility which involves care, security, rehabilitation and ultimately reaching the goal of integration of youth offenders back into the community. In addition, supportive roles of a non-supervisory nature involving participation in programs which augment and facilitate the provision of these services and measure outcomes are intended to be inclusive of this classification as well. And this is consistent with the expectation that professional staff perform a wider range of work tasks and skills, than would be expected of work requiring a less-developed range of training and skill.”

“In the predecessor classifications to this class, the security function was defined by the Youth Supervisor 1. The Youth Supervisor 2 described the provision of training and rehabilitative services to youth offenders in addition to the security work role, although actual work assignments reportedly fell short of this defined level distinction, with the emphasis on safety and security. The Youth Supervisor 3 described responsibility for security, welfare and development of all wards within a living unit, including such programmatic functions as directing programmatic functions and other activities. All positions and the work subsumed by these classifications was intended for the Juvenile Justice Specialist classification, with the intention that work disputes resulting from questions relating to work level distinctions for staff assignments could be minimized through the use of this broadened professional class.”

“In looking at the range of job functions performed by the Juvenile Justice Specialist currently, this revision is in keeping with a more representative description of the range of professional staff functions that have been incorporated in the classification.”

**WILL THE COMMISSION APPROVE THE REVISION OF THE FOLLOWING CLASS TITLE TO BE EFFECTIVE NOVEMBER 1, 2008?**

**A: Juvenile Justice Specialist**

October 16, 2008

**WILL THE COMMISSION DISAPPROVE ANY CLASS SPECIFICATIONS RECEIVED BY THE COMMISSION STAFF NOT CONTAINED IN THIS REPORT TO ALLOW ADEQUATE STUDY?**

VI. MOTION TO GO INTO EXECUTIVE SESSION

**PURSUANT TO SUBSECTIONS 2(c)(1), 2(c)(4), AND 2(c)(11) OF THE OPEN MEETINGS ACT, WILL THE COMMISSION HOLD AN EXECUTIVE SESSION TO CONSIDER APPEALS FILED WITH THE COMMISSION, LITIGATION, AND/OR SPECIFIED EMPLOYMENT MATTERS?**

VII. RECONVENE MEETING

VIII. NON-MERIT APPOINTMENT REPORT

The Personnel Code permits non-merit appointments for a limited period of time, i.e., emergency appointments shall not exceed 60 days and shall not be renewed, and positions shall not be filled on a temporary or provisional basis for more than six months out of any twelve-month period. Consecutive non-merit appointments are not violative of the Code; however, they do present a possible evasion of merit principles and should be monitored. Set forth below is the number of consecutive non-merit appointments made by each department. These statistics are from the Department of Central Management Services' Consecutive Non-Merit Appointment Reports.

<b>Agency</b>	8/31/08	<b>9/30/08</b>	9/30/07
Agriculture	3	<b>2</b>	6
Arts Council	1	<b>0</b>	0
Central Management Services	3	<b>4</b>	8
Children and Family Services	7	<b>3</b>	7
Criminal Justice Authority	1	<b>0</b>	0
Employment Security	7	<b>7</b>	0
Healthcare and Family Services	13	<b>12</b>	14
Historic Preservation	0	<b>0</b>	18
Human Services	3	<b>5</b>	3
Investment Board	1	<b>1</b>	0
Natural Resources	25	<b>15</b>	20
Property Tax Appeal Board	1	<b>0</b>	0
State Police	0	<b>0</b>	0
State Retirement Systems	1	<b>1</b>	0
Transportation	15	<b>13</b>	41
Veteran's Affairs	0	<b>7</b>	1
Workers' Compensation Commission	4	<b>6</b>	0
<b>Totals</b>	85	<b>76</b>	118

October 16, 2008

IX. INTERLOCUTORY APPEAL

**DA-43-08**

Employee	Jeanne D. Miller	Appeal Date	05/02/08
Agency	DHS	Decision Date	10/03/08
Type	Discharge	ALJ	Andrew Barris
Issue	Motion to Dismiss for no jurisdiction	Recommended Decision	Grant Motion to Dismiss

**DOES THE COMMISSION AFFIRM AND ADOPT THE RECOMMENDED DECISION TO GRANT THE MOTION TO DISMISS IN THE ABOVE MATTER?**

X. PUBLICLY ANNOUNCED DECISION RESULTING FROM APPEAL

• **DISCHARGE**

**DA-32-08**

Employee	Dennis R. Marion	Appeal Date	01/22/08
Agency	DOC	Decision Date	10/03/08
Type	Discharge	ALJ	Andrew Barris
Charge(s)	Conduct unbecoming	Recommended Decision	Charges are partially proven and do warrant discharge.

**DOES THE COMMISSION AFFIRM AND ADOPT THE RECOMMENDED DECISION IN THE ABOVE MATTER?**

XI. APPEAL TERMINATED WITHOUT DECISION ON THE MERITS

• **DISMISSED**

**DA-6-09**

Employee	Stacy L. Taylor	Appeal Date	7/31/08
Agency	DES	Decision Date	9/25/08
Type	Discharge	ALJ	Andrew Barris
Charge(s)	Not certified employee	Recommended Decision	Dismissed; withdrawn

**DOES THE COMMISSION AFFIRM AND ADOPT THE RECOMMENDED DECISION IN THE ABOVE MATTER?**

October 16, 2008

XII. PROPOSED REVISIONS TO CIVIL SERVICE COMMISSION RULES

**WILL THE COMMISSION APPROVE THE PROPOSED REVISIONS TO CIVIL SERVICE COMMISSION RULES?**

XIII. FY 2008 ANNUAL REPORT

**WILL THE COMMISSION APPROVE THE FISCAL YEAR 2008 ANNUAL REPORT?**

XIV. STAFF REPORT

XV. ANNOUNCEMENT OF NEXT MEETING

**The next regular meeting is to be held on Thursday, November 20, 2008 at 1:00 p.m. in the Commission's Springfield office.**

XVI. MOTION TO ADJOURN